

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for the courtesies extended in the telephonic Examiner Interview of August 30, 2005, and for carefully considering this application.

Disposition of Claims

Claims 1-14 are pending in the present application. Claims 1 and 9 are independent. The remaining claims depend, directly or indirectly, from claims 1 and 9.

Claim Amendments

Independent claims 1 and 9 have been amended by way of this reply, as suggested by the Examiner, to require loading the integrated circuit card with only a part of a sequence of commands of the service, where said part of the sequence of commands of the service comprises at least one block of commands of the service. Amended independent claims 1 and 9 further require that upon completion of loading, only the part of the sequence is loaded. Further, claims 1 and 3-14 have been amended for minor grammatical errors and to correct antecedent basis errors. No new matter has been added by way of these amendments, as support for these amendments may be found, for example, on page 2, line 25 – page 3, line 2 of the present application.

Objection(s)

Claims 4 is objected to for an informality. By way of this reply, claim 4 has been amended to replace “MSSEEQ2” with “MSSEQ2.” Accordingly, withdrawal of the objection is respectfully requested.

Rejection(s) under 35 U.S.C § 112

Claims 1-14 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1-14 have been amended in this reply to clarify the present invention recited. Specifically, claims 1, 4, 5, 9, 10, and 12 have been amended to clarify which server is being addressed. Accordingly, claims 1-14 are no longer indefinite, and withdrawal of this rejection is respectfully requested.

Rejection(s) under 35 U.S.C § 102

Claims 1-3, 5, 7, and 8 are rejected under 35 U.S.C. § 102(b) as being anticipated by PCT Patent Application Publication No. 98/09257 in the name of Lisimaque *et al.* (hereinafter “Lisimaque”). Independent claim 1 has been amended in this reply to clarify the present invention recited. To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

The present invention is directed to a device to load commands from at least one server to at least one integrated circuit card connected to a subscriber unit. Loading only a part of a sequence of commands helps avoid a loss of memory due to all the used services being in memory. Additionally, loading only a part of a sequence of commands reduces the time spent to completely load such that only data which needs to be modified is loaded (*see* Specification, page 2, line 25 – page 3, line 2). Accordingly, amended independent claim 1 requires means for loading the integrated circuit card with only a part of a sequence of commands of the service, the part of the sequence of commands of the service including at least one block of commands of the service. Claim 1 further requires that upon completion of loading, only the part of the sequence is loaded.

Lisimaque, in contrast to the present invention, does not disclose loading only a part of a sequence of commands of the service, where upon completion of loading, only the part of the sequence is loaded. Further, Lisimaque does not show or suggest such a limitation. Lisimaque is directed to a system for loading an applet and its associated use rights into a smart card (*see* Lisimaque, abstract, page 7, lines 12-13). Lisimaque states that the use rights for an application may have one of two states (refreshed or depleted), and that an application stored in the card is replaced by an application stored in the server in such a way that the use rights for the application stored in the card are renewed (*see* Lisimaque, abstract, page 7, line 19 – page 8, line 6). In other words, the use rights are updated by replacing the entire application in the card. For example, Lisimaque teaches a disposable applet that may be replaced with an entire new applet having new use rights when the use rights of the disposable applet are depleted (*see* Lisimaque, page 19, line 14 – page 20, line 6). Clearly, as Lisimaque explains replacing an entire application in a card, Lisimaque does not contemplate the saving available memory space by replacing only a part of the services. Lisimaque is completely silent with respect to avoiding memory space losses due to saving in the memory in all of the used services.

In view of the above, Lisimaque fails to show or suggest the present invention as recited in amended independent claims 1 and 9. Thus, amended independent claims 1 and 9 are patentable over Lisimaque. Dependent claims 2, 3, 5, 7, and 8 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection(s) under 35 U.S.C § 103*Claim 4*

Claim 4 is rejected under 35 U.S.C. § 103(a) as being obvious over Lisimaque in view of U.S. Patent No. 5,899,998 issued to McGauley *et al.* (hereinafter “McGauley”). Independent claim 1, from which claim 4 depends, has been amended in this reply to clarify the present invention recited. To the extent that this rejection may still apply to claim 4, the rejection is respectfully traversed.

As discussed above, the present invention is directed to a device to load commands from at least one server to at least one integrated circuit card connected to a subscriber unit. Accordingly, amended claim 4 requires means for loading the integrated circuit card with only a part of a sequence of commands of the service, the part of the sequence of commands of the service including at least one block of commands of the service. Amended claim 4 further requires that upon completion of loading, only the part of the sequence is loaded.

Lisimaque, as discussed above, does not show or suggest the above limitations of the claimed invention. McGauley fails to show or suggest that which Lisimaque Lacks. This is evidenced by the fact that McGauley is directed to a system and method of updating computerized *medical records* from a distributed database (*see* McGauley, abstract). McGauley clearly states that object-oriented databases exist in portable data carriers (103) (*see* McGauley, col. 10, lines 25-30). These databases are used merely to hold medical record information. McGauley is completely silent with respect to commands or services as required by the claimed invention. Further, like Lisimaque, McGauley is completely silent with respect to loading in the integrated circuit card only part of a sequence of commands of the service, where upon completion of the loading, only the part of the sequence of commands of the service is loaded,

and where said part of the sequence of commands of the service comprises at least one block of commands of the service.

In view of the above, Lisimaque and McGauley, whether taken separately or in combination, fail to show or suggest the present invention as recited in claim 4. Thus, claim 4 is patentable over Lisimaque and McGauley. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 6

Claim 6 is rejected under 35 U.S.C. § 103 as being obvious over Lisimaque in view of U.S. Patent No. 5,467,081 issued to Drews *et al.* (hereinafter "Drews"). Independent claim 1, from which claim 6 depends, has been amended in this reply to clarify the present invention recited. To the extent that this rejection may still apply to claim 6, the rejection is respectfully traversed.

As discussed above, the present invention is directed to a device to load commands from at least one server to at least one integrated circuit card connected to a subscriber unit. Accordingly, amended claim 6 requires means for loading the integrated circuit card with only a part of a sequence of commands of the service, the part of the sequence of commands of the service including at least one block of commands of the service. Amended claim 6 further requires that upon completion of loading, only the part of the sequence is loaded.

Lisimaque, as discussed above, does not show or suggest the above limitations of the claimed invention. Further, Drews does not show or suggest that which Lisimaque lacks. Drews is directed to a portable data carrier with separate read and write zones (*see* Drews, abstract). In other words, Drews utilizes memory which can be read- or write- protected for different applications (*see* Drews, col. 1, lines 52-67). As Drews addresses a portable data carrier having blocks that are specifically reserved for reading or for writing, Drews clearly does

not contemplate saving space in an integrated circuit card by saving only a part of commands specific to a service, as recited in claim 6.

In view of the above, Lisimaque, McGauley, and Drews, whether taken separately or in combination, fail to show or suggest the present invention as recited in amended claim 6. Thus, claim 6 is patentable over Lisimaque, McGauley, and Drews. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 9-14

Claim 9-14 are rejected under 35 U.S.C. § 103(a) as being obvious over Lisimaque in view of McGauley. Independent claim 9 has been amended in this reply to clarify the present invention recited. To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

As discussed above, the present invention is directed to a device to load commands from at least one server to at least one integrated circuit card connected to a subscriber unit. Accordingly, amended independent claim 9 requires loading the integrated circuit card with only a part of at least one command sequence block specific to the service from the server, to be executed using said first execution program, or using a second program in a subscriber unit connected to the said integrated circuit card. Claim 9 further requires that upon completion of loading, only the part of the at least one command sequence block specific to the service is loaded.

Lisimaque, as discussed above, does not show or suggest the present invention as required by amended independent claim 9. Further, as discussed above, McGauley does not show or suggest that which Lisimaque lacks. As discussed above, McGauley is directed to a system and method of updating computerized medical records. McGauley does not show or suggest loading the integrated circuit card with only a part of at least one command sequence

block specific to the service from the server, where only the part of the at least one command sequence block specific to the service is loaded.

In view of the above, Lisimaque and McGauley, whether taken separately or in combination, fail to show or suggest the present invention as recited in amended independent claim 9. Thus, amended independent claim 9 is patentable over Lisimaque and McGauley. Dependent claims 10-14 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09669/021001).

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Respectfully submitted,

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